

§ 2001.20

(1) Identify the subject matter of the classification guide;

(2) Identify the original classification authority by name or personal identifier, and position;

(3) Identify an agency point-of-contact or points-of-contact for questions regarding the classification guide;

(4) Provide the date of issuance or last review;

(5) State precisely the elements of information to be protected;

(6) State which classification level applies to each element of information, and, when useful, specify the elements of information that are unclassified;

(7) State, when applicable, special handling caveats;

(8) Prescribe declassification instructions or the exemption category from automatic declassification at 25 years, as approved by the ISCAP under section 3.3(d) of the Order and listed in § 2001.21(e) of subpart B, for each element of information; and

(9) State a concise reason for classification which, at a minimum, cites the applicable classification category or categories in section 1.4 of the Order.

(c) Dissemination of classification guides. Classification guides shall be disseminated as widely as necessary to ensure the proper and uniform derivative classification of information.

(d) *Reviewing and updating classification guides.* (1) Classification guides, including guides created under prior orders, shall be reviewed and updated as circumstances require, but, in any event, at least once every five years. Updated instructions for guides first created under prior orders shall comply with the requirements of the Order and this part.

(2) Originators of classification guides are encouraged to consult the users of guides for input when reviewing or updating guides. Also, users of classification guides are encouraged to notify the originator of the guide when they acquire information that suggests the need for change in the instructions contained in the guide.

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Subpart B—Identification and Markings

§ 2001.20 General [1.6].

A uniform security classification system requires that standard markings be applied to classified information. Except in extraordinary circumstances, or as approved by the Director of ISOO, the marking of classified information created after September 22, 2003, shall not deviate from the following prescribed formats. If markings cannot be affixed to specific classified information or materials, the originator shall provide holders or recipients of the information with written instructions for protecting the information. Markings shall be uniformly and conspicuously applied to leave no doubt about the classified status of the information, the level of protection required, and the duration of classification.

§ 2001.21 Original classification [1.6(a)].

(a) *Primary markings.* On the face of each originally classified document, regardless of the media, the original classification authority shall apply the following markings.

(1) *Classification authority.* The name or personal identifier, and position title of the original classification authority shall appear on the “Classified By” line. An example might appear as:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

or

Classified By: ID#IMNO1, Chief, Division 5,
Department of Good Works, Office of Administration

(2) *Agency and office of origin.* If not otherwise evident, the agency and office of origin shall be identified and follow the name on the “Classified By” line. An example might appear as:

Classified By: David Smith, Chief, Division 5
Department of Good Works, Office of Administration.

(3) *Reason for classification.* The original classification authority shall identify the reason(s) for the decision to classify. The original classification authority shall include, at a minimum, a

brief reference to the pertinent classification category(ies), or the number 1.4 plus the letter(s) that corresponds to that classification category in section 1.4 of the Order.

(i) These categories, as they appear in the Order, are as follows:

(A) Military plans, weapons systems, or operations;

(B) Foreign government information;

(C) Intelligence activities (including special activities), intelligence sources or methods, or cryptology;

(D) Foreign relations or foreign activities of the United States, including confidential sources;

(E) Scientific, technological, or economic matters relating to the national security, which includes defense against transnational terrorism;

(F) United States Government programs for safeguarding nuclear materials or facilities;

(G) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security, which includes defense against transnational terrorism; or

(H) Weapons of mass destruction.

(ii) An example might appear as:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

Reason: Vulnerabilities or capabilities of plans relating to the national security
or

Reason: 1.4(g)

(iii) When the reason for classification is not apparent from the content of the information, *e.g.*, classification by compilation, the original classification authority shall provide a more detailed explanation of the reason for classification.

(4) *Declassification instructions.* The duration of the original classification decision shall be placed on the “Declassify On” line. The original classification authority will apply one of the following instructions:

(i) The original classification authority will apply a date or event for declassification that corresponds to the lapse of the information’s national security sensitivity, that is less than 10 years from the date of the original decision. When linking the duration of

classification to a specific date or event, mark that date or event as:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

Reason: 1.4(g)

Declassify On: October 14, 2004

or

Declassify On: Completion of Operation

(ii) When a specific date or event within 10 years cannot be established, the original classification authority will apply the date that is 10 years from the date of the original decision. For example, on a document that contains information classified on October 14, 2003, mark the “Declassify On” line as:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

Reason: 1.4(g)

Declassify On: October 14, 2013

(iii) Upon the determination that the information must remain classified beyond 10 years, the original classification authority will apply a date not to exceed 25 years from the date of the original decision. For example, on a document that contains information classified on October 10, 2003, mark the “Declassify On” line as:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

Reason: 1.4(g)

Declassify On: October 10, 2028

(b) Overall marking. The highest level of classified information contained in a document shall appear in a way that will distinguish it clearly from the informational text.

(1) Conspicuously place the overall classification at the top and bottom of the outside of the front cover (if any), on the title page (if any), on the first page, and on the outside of the back cover (if any).

(2) For documents containing information classified at more than one level, the overall marking shall be the highest level. For example, if a document contains some information marked “Secret” and other information marked “Confidential,” the overall marking would be “Secret.”

(3) Each interior page of a classified document shall be marked at the top and bottom either with the highest level of classification of information contained on that page, including the designation “Unclassified” when it is applicable, or with the highest overall classification of the document.

(c) *Portion marking.* Each portion of a document, ordinarily a paragraph, but including subjects, titles, graphics and the like, shall be marked to indicate its classification level by placing a parenthetical symbol immediately preceding or following the portion to which it applies.

(1) To indicate the appropriate classification level, the symbols “(TS)” for Top Secret, “(S)” for Secret, “(C)” for Confidential, and “(U)” for Unclassified shall be used.

(2) Each classified portion of a document marked exempt from automatic declassification shall be exempted unless the original classification authority indicates otherwise on the document.

(3) An agency head or senior agency official may request a waiver from the portion marking requirement for a specific category of information. Such a request shall be submitted to the Director of ISOO and should include the reasons that the benefits of portion marking are outweighed by other factors. Statements citing administrative burden alone will ordinarily not be viewed as sufficient grounds to support a waiver.

(d) *Classification extensions.* (1) An original classification authority may extend the duration of classification for up to 25 years from the date of the information’s origin for information contained in records determined to be permanently valuable.

(2) The “Declassify On” line shall be revised to include the new declassification instructions, and shall include the identity of the person authorizing the extension and the date of the action.

(3) The office of origin shall make reasonable attempts to notify all holders of such information. Classification guides shall be updated to reflect such revisions.

(4) An example of an extended duration of classification may appear as follows for a document dated December

1, 2003 with a declassification date of December 1, 2015:

Classified By: David Smith, Chief, Division 5,
Department of Good Works, Office of Administration

Reason: 1.4(g)

Declassify On: Classification extended on December 1, 2005, until December 1, 2028, by David Jones, Chief, Division 5

(e) *Marking information exempted from automatic declassification at 25 years.* (1) When an agency head or senior agency official exempts permanently valuable information from automatic declassification at 25 years, the “Declassify On” line shall be revised to include the symbol “25X” plus a brief reference to the pertinent exemption category(ies) or the number(s) that corresponds to that category(ies) in section 3.3(b) of the Order. Other than when the exemption pertains to the identity of a confidential human source, or a human intelligence source, or a human intelligence source, the revised “Declassify On” line shall also include the new date or event for declassification. The marking for an exemption for the identity of a confidential human source or a human intelligence source shall be “25X1-human.” This marking denotes that this specific information is not subject to automatic declassification.

(2) The pertinent exemptions, using the language of section 3.3(b) of the Order, are:

25X1: reveal the identity of a confidential human source, or a human intelligence source, or reveal information about the application of an intelligence source or method;

25X2: reveal information that would assist in the development or use of weapons of mass destruction;

25X3: reveal information that would impair U.S. cryptologic systems or activities;

25X4: reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system;

25X5: reveal actual U.S. military war plans that remain in effect;

25X6: reveal information, including foreign government information, that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;

25X7: reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the President, Vice President, and

other protectees for whom protection services, in the interest of the national security, are authorized;

25X8: reveal information that would seriously and demonstrably impair current national security emergency preparedness plans or reveal current vulnerabilities of systems, installations, infrastructures, or projects relating to the national security; or

25X9: violate a statute, treaty, or international agreement.

(3) The pertinent portion of the marking would appear as:

Declassify On: 25X-State-of-the-art technology within a U.S. weapon system, October 1, 2020

or

Declassify On: 25X4, October 1, 2020

(4) Documents should not be marked with a “25X” marking until the agency has been informed that the President or the Interagency Security Classification Appeals Panel concurs with the proposed exemption. Agencies that have submitted proposed exemptions or a declassification guide to the ISCAP may mark documents with “25X” categories, while waiting for ISCAP concurrence, unless otherwise notified by the Panel’s Executive Secretary.

(5) Agencies need not apply a “25X” marking to individual documents contained in a file series exempted from automatic declassification under section 3.3(c) of the Order until the individual document is removed from the file.

§ 2001.22 Derivative classification [2.1].

(a) *General.* Information classified derivatively on the basis of source documents or classification guides shall bear all markings prescribed in § 2001.20 and § 2001.21, except as provided in this section. Information for these markings shall be carried forward from the source document or taken from instructions in the appropriate classification guide.

(b) *Source of derivative classification.* (1) The derivative classifier shall concisely identify the source document or the classification guide on the “Derived From” line, including the agency and, where available, the office of origin, and the date of the source or guide. An example might appear as:

Derived From: Memo, “Funding Problems,” October 20, 2003, Office of Administration, Department of Good Works

or

Derived From: CG No. 1, Department of Good Works, dated October 20, 2003

(i) When a document is classified derivatively on the basis of more than one source document or classification guide, the “Derived From” line shall appear as: Derived From: Multiple Sources

(ii) The derivative classifier shall maintain the identification of each source with the file or record copy of the derivatively classified document. When practicable, this list should be included in or with all copies of the derivatively classified document.

(2) A document derivatively classified on the basis of a source document that is itself marked “Multiple Sources” shall cite the source document on its “Derived From” line rather than the term “Multiple Sources.” An example might appear as:

Derived From: Report entitled, “New Weapons,” dated October 20, 2003, Department of Good Works, Office of Administration

(c) *Reason for classification.* The reason for the original classification decision, as reflected in the source document(s) or classification guide, is not required to be transferred in a derivative classification action. If included, however, it shall conform to the standards in § 2001.21(a)(3).

(d) *Declassification instructions.* (1) The derivative classifier shall carry forward the instructions on the “Declassify On” line from the source document to the derivative document, or the duration instruction from the classification or declassification guide.

(2) When a document is classified derivatively on the basis of more than one source document or more than one element of a classification guide, the “Declassify On” line shall reflect the longest duration of any of its sources.

(i) When a document is classified derivatively either from a source document(s) or a classification guide that contains the declassification instruction, “Originating Agency’s Determination Required,” or “OADR,” or from a source document(s) or a classification guide that contains any of the